

AMENDED IN SENATE MARCH 28, 2006

SENATE BILL

No. 1394

Introduced by Senator Florez

February 22, 2006

~~An act relating to parole officers.~~ *An act to add Section 14087.395 to the Welfare and Institutions Code, relating to Medi-Cal.*

LEGISLATIVE COUNSEL'S DIGEST

SB 1394, as amended, Florez. ~~Parole officers: residence placement of sex offenders.~~ *Medi-Cal: local initiatives.*

Existing law provides for the Medi-Cal program, administered by the State Department of Health Services, under which qualified low-income persons are provided with health care services.

Existing law authorizes the establishment, at the county level, of a commission for the provision, or arrangement for the provision, of Medi-Cal benefits through a local initiative, which is defined as a prepaid health plan that is organized by a county government or by stakeholders of a designated region and awarded a contract with the department for the provision of Medi-Cal benefits.

This bill would prohibit a local initiative from retaining uncommitted financial reserves at the end of its fiscal year in excess of 400% of the required minimum tangible net equity. The bill would require remaining financial reserves beyond that limitation to be used to provide Medi-Cal benefits or distributed to safety net providers, as defined.

~~Existing law generally regulates the conditions of parole, and specifically restricts placing for residency, certain sex offenders within prescribed distances of schools, as specified.~~

~~This bill would express the intent of the Legislature to enact legislation that would protect parole officers who choose not to follow a directive from the Department of Corrections and Rehabilitation requiring them to place sex offenders within the prohibited distance for residence regarding a school in contravention of law, and grant those officers “whistleblower” status, and would further express the intent of the Legislature to enact legislation providing that if a parole officer knowingly places, or a supervising parole officer knowingly directs the placement, of a sex offender within the prohibited distance for residence regarding a school in contravention of law, the officer could suffer loss of employment and other penalties.~~

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 *SECTION 1. It is the intent of the Legislature that local*
2 *initiatives providing Medi-Cal benefits should limit the*
3 *expenditure of resources on administrative costs. It is further the*
4 *intent of the Legislature that local initiatives should refrain from*
5 *retaining excessive tangible net equity that is not spent on health*
6 *care services, and should use excess tangible net equity to*
7 *expand the health care services available to low-income and*
8 *underserved populations. In that regard, it is the intent of the*
9 *Legislature that these resources should be devoted to providing*
10 *health care services within the area served by the local initiative*
11 *or for assisting the safety net provider community in providing*
12 *care to the uninsured.*

13 *SEC. 2. Section 14087.395 is added to the Welfare and*
14 *Institutions Code, to read:*

15 *14087.395. (a) Notwithstanding any other provision of law,*
16 *a local initiative, as defined in subdivision (v) of Section 53810*
17 *of Title 22 of the California Code of Regulations, shall not retain*
18 *uncommitted financial reserves at the end of its fiscal year in*
19 *excess of 400 percent of the minimum requirements applicable to*
20 *the appropriate plan, based on allocations made in the annual*
21 *Budget Act.*

22 *(b) Uncommitted financial reserves in excess of that amount*
23 *specified in subdivision (a) shall be used for health care services*
24 *for Medi-Cal recipients or distributed to safety net providers, as*

1 *defined in subdivision (hh) of Section 53810 of Title 22 of the*
2 *California Code of Regulations.*

3 ~~SECTION 1. It is the intent of the Legislature to enact~~
4 ~~legislation that would protect parole officers who choose not to~~
5 ~~follow a directive from the Department of Corrections and~~
6 ~~Rehabilitation requiring them to place sex offenders within the~~
7 ~~prohibited distance for residence regarding a school in~~
8 ~~contravention of law, and grant those officers “whistleblower”~~
9 ~~status. It is further the intent of the Legislature to enact~~
10 ~~legislation providing that if a parole officer knowingly places, or~~
11 ~~a supervising parole officer knowingly directs the placement, of~~
12 ~~a sex offender within the prohibited distance for residence~~
13 ~~regarding a school in contravention of law, the officer could~~
14 ~~suffer loss of employment and other penalties.~~